

(40)
9-14-01
MA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN WASHINGTON GORDON,

Plaintiff

v.

N. GONZALEZ, et al.,

Defendants

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:
: CIVIL ACTION NO. 1:CV-01-0331
:
:
:

: (Judge Rambo) FILED
: HARRISBURG, PA

: SEP 13 2001

MARY E. D'ANDREA, CLERK
Per MA
Deputy Clerk

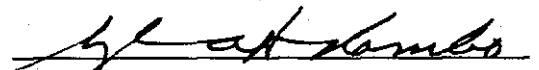
ORDER

For the reasons set forth in the foregoing memorandum, **IT IS HEREBY ORDERED THAT:**

1. Defendants' motion for summary judgment (Doc. 19), as to the excessive use of force claim is **granted**. The Clerk of Court shall enter judgment on this issue in favor of defendants and against plaintiff.
2. Plaintiff's remaining claims are **dismissed** for failure to exhaust administrative remedies.
3. Plaintiff's motion for leave to file an amended complaint (Doc. 38) is **denied**.

4. The Clerk of Court shall close this case.

5. Any appeal taken from this order will be deemed frivolous, without probable cause, and not taken in good faith.


SYLVIA H. RAMBO
United States District Judge

Dated: September 13, 2001.

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

Re: 1:01-cv-00331 Gordon v. Gonzalez

True and correct copies of the attached were mailed by the clerk
to the following:

Juken Washington Gordon 05373-088
USP-ALLENWOOD
Maximum Security Correct. Inst.
P.O. Box 3000
White Deer, PA 17887

Anne K. Fiorenza, Esq.
U.S. Attorney's Office
228 Walnut Street Suite 217
Harrisburg, PA 17108

cc:

Judge	(X)	(X) Pro Se Law Clerk
Magistrate Judge	()	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	(X)	
Federal Public Defender	()	
Standard Order 93-5	()	
Order to Show Cause	()	with Petition attached & mailed certified mail
		to: US Atty Gen () PA Atty Gen ()
		DA of County () Respondents ()
Bankruptcy Court	()	
Other _____	()	

MARY E. D'ANDREA, Clerk

DATE: September 13th, 2001

BY: 
Deputy Clerk